GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:270
ANSWERED ON:04.12.2007
COMMITTEE ON SEXUAL HARASSMENT
Subbarayan Shri K.

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court has issued any guidelines to the Union Government for constitution of Complaint Committees on sexual harassment in the States;

(b) if so, whether all the State Governments have constituted such Committees;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI)

(a) to (d): A statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 270 FOR 04.12.2007 REGARDING COMMITTEE ON SEXUAL HARASSMENT

(a): No Sir.

(b) to (d): In W.P. (Criminal) Nos.666-70 of 1992, between Vishaka & Others Vs. State of Rajasthan, the Supreme Court has issued guidelines and norms to protect the working women from sexual harassment in exercise of the powers under Article 32 of the Constitution and has also treated the same as law under Article 141 of the Constitution until suitable legislation is put in place. One of the guidelines relates to setting up of Complaints Committee in every organisation employing women to look into complaints of sexual harassment. However, there are no specific directions/ guidelines issued by the Supreme Court to the Union Government with respect to the Constitution of Complaint of Committees on sexual harassment in the States. These guidelines, which have the force of law as mentioned above, are applicable to all employers or persons in charge of work places, whether in the public or private sector or any institution, Government or otherwise, and any noncompliance of the same would render them liable to action for violation of the law.

Keeping this in view, it is expected that the State Governments would have taken necessary measures for ensuring compliance of the guidelines in the States. It is not considered feasible to compile information about the specific action taken by each employer, including various departments/organizations under each State Government in compliance of the guidelines.

On its part, the Central Government has issued instructions to all Central Ministries/ Departments, Chief Secretaries of all State Governments/Union Territory Administrations, Universities/Institutions, Central Board of Secondary Education, All India Council of Technical Education to constitute the Complaint Committees and to ensure that the guidelines laid down by the Supreme Court are implemented.